

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JRLDDS, LLC,

Plaintiff,

-v-

THE HARTFORD FINANCIAL SERVICES GROUP
INC., et al.,

Defendants.

21-CV-9487 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

On November 16, 2021, this action was removed from the Supreme Court of New York, New York County, by Defendants the Hartford Financial Services Group Inc. (“HFSG”) and Trumbull Insurance Company (“Trumbull”). *See* ECF No. 1 (“Notice of Removal”). Defendants assert that jurisdiction in this Court is proper by reason of diversity of citizenship, pursuant to 28 U.S.C. § 1332. *See id.* ¶ 2. Defendants allege that HFSG is a citizen of Connecticut and Delaware and that Trumbull is a citizen of Connecticut. *Id.* They allege that “[c]ounsel for the plaintiff has confirmed by email that none of the members of JRLDDS is a citizen of the same state[s]” of which Defendants are citizens, but fail to allege JRLDDS’s citizenship. *Id.*

It is well established that a limited liability company (“LLC”) is deemed to be a citizen of each state of which its members are citizens. *See, e.g., Handelsman v. Bedford Vill. Assocs. L.P.*, 213 F.3d 48, 51-52 (2d Cir. 2000). Thus, a notice of removal premised upon diversity of citizenship must allege the citizenship of natural persons who are members of an LLC and the place of incorporation and principal place of business of any corporate entities that are members of the LLC. *See id.*; *see also, e.g., In re Bank of Am. Corp. Sec., Derivatives, and ERISA Litig.*, 757 F. Supp. 2d 260, 334 n.17


(S.D.N.Y. 2010); *Lewis v. Allied Bronze LLC*, No. 07 Civ. 1621 (BMC), 2007 WL 1299251, at *1-2 (E.D.N.Y. May 2, 2007) (remanding removed action for lack of diversity jurisdiction). Moreover, “[i]t is not enough to allege, in conclusory fashion, that none of [an] LLC's members are citizens of the same state as the [opposing party]” or that “all of the LLC's members are citizens of a certain state.” *Flemming v. Port Auth. of N.Y. & N.J.*, No. 21-CV-1112, 2021 WL 878558, at *1 (E.D.N.Y. March 9, 2021) (citing *Prospect Funding Holdings, LLC v. Fennell*, No. 15-cv-4176, 2015 WL 4477120, at *1 (S.D.N.Y. July 15, 2015); then citing *U.S. Liab. Ins. Co. v. M Remodeling Corp.*, 444 F. Supp. 3d 408, 410 (E.D.N.Y. 2020)). In the present case, the Notice of Removal fails to allege JRLDDS’s citizenship.

Accordingly, it is hereby ORDERED that, on or before **December 1, 2021**, Defendants shall amend their Notice of Removal to allege the citizenship of each constituent person or entity comprising the Plaintiff LLC (including the state of incorporation and principal place of business of any corporate entity member). If, by that date, Defendants are unable to amend the Notice of Removal to truthfully allege complete diversity of citizenship, then the action will be remanded to the Supreme Court of New York, New York County, without further notice to either party.

Finally, Defendants are directed to, **within two business days of this Order**, serve on Plaintiff a copy of this Order and to file proof of such service on the docket. Counsel for Plaintiff is directed to file a notice of appearance on the docket **within two business days of such service**.

SO ORDERED.

Dated: November 17, 2021
New York, New York


 JESSE M. FURMAN
 United States District Judge